

## Chapter 12

### **BUSES, MOTOR FREIGHT CARRIERS\***

|      |         |   |
|------|---------|---|
| Art. | I.      | In General, §§ 12-1—12-15                                       |
| Art. | II.     | Intraurban Buses, §§ 12-16—12-70                                |
|      | Div. 1. | Generally, §§ 12-16—12-50                                       |
|      | Div. 2. | Certificate of Public Convenience and Necessity, §§ 12-51—12-70 |
| Art. | III.    | Interurban Buses and Motor Freight Carriers, §§ 12-71—12-12-92  |
|      | Div. 1. | Generally, §§ 12-71—12-85                                       |
|      | Div. 2. | Off-Street Bus Facilities, §§ 12-86—12-92                       |

#### **ARTICLE I. IN GENERAL**

**Secs. 12-1—12-15. Reserved.**

#### **ARTICLE II. INTRAURBAN BUSES**

##### **DIVISION 1. GENERALLY**

##### **Sec. 12-16. Construction of “interurban.”**

For the purposes of this article, the word “interurban,” as applied to motorbuses or motor vehicles, shall not be deemed to include a motorbus or motor vehicle which transports passengers from one point to another within this city. (Code 1959, § 7-1)

##### **Sec. 12-17. Scope of article.**

This article is adopted under the general police power granted to the city by its Charter. It is not intended hereby to grant or offer any franchise; but, as denoted by the title of this article, it is intended to regulate motorbus passenger transportation for hire in the city. (Code 1959, § 7-28)

##### **Sec. 12-18. Application.**

The operation of motorbus passenger transportation for hire, except taxi and rent vehicles and interurban and city sightseeing vehicles, in the city shall be subject to the conditions, regulations and restrictions contained in this article. (Code 1959, § 7-1)

##### **Sec. 12-19. Violations; lien of city for penalties, etc.**

All of the provisions of this article imposing obligations or requirements on any person operating hereunder shall be deemed to be mandatory, and any violation of any obligation or requirement of this article shall be regarded as a misdemeanor. All debts, penalties or forfeitures inuring to the city under this article shall constitute a lien upon the property of such person prior to all other debts, liens or obligations thereof, whether created before or after the creation of any lien in favor of any other person or corporation. (Code 1959, § 7-30)

---

\***Cross references**—License taxes, § 36-16 et seq.; taxicabs, rental cars, Ch. 37.

**State law reference**—Motor vehicle carriers generally, Code of Virginia, § 56-273 et seq.

**Sec. 12-20. Minimum seating capacity; maximum number of passengers to be carried.**

No motorbus of a seating capacity of less than twenty-five (25) passengers shall be operated on the streets of the city in service under this article (except that smaller buses may be used for tripper service, or on independent runs within the city other than on Main Street); the number of passengers received for transportation to be limited to such seating capacity, plus sixty-six and two-thirds ( $66 \frac{2}{3}$ ) per cent; provided, however, that the foregoing limitation with respect to the number of passengers received for transportation shall not apply to any bus while being used for the transportation of school children exclusively. (Code 1959, § 7-3)

**Sec. 12-21. Transfers.**

Any person operating under the provisions of this article shall furnish to his passengers, when requested, transfers to any and all bus lines which may at any time be operating within the city, at all points of intersection of the routes of such bus lines with each other or with different portions of the same bus line where these may intersect and at such other transfer points as may be necessary to serve the traveling public. (Code 1959, § 7-4)

**Sec. 12-22. Determination of routes.**

The operation of any motor bus system of passenger transportation under the provisions of this article shall be along routes as fixed by ordinance or resolution of the city council. (Code 1959, § 7-5)

**Sec. 12-23. Change of routes by council.**

The right to continue to operate on the routes provided in section 12-22 or any routes which may be designated as hereinafter provided shall be upon the condition that whenever public convenience shall, in the opinion of the council, reasonably require any change in the routes provided in said section, or any extension thereof, the same shall be made and established with all reasonable dispatch and diligence upon being required or permitted so to do by the council. (Code 1959, § 7-6)

**Sec. 12-24. Deviation from routes.**

No deviation from authorized routes shall be practiced or permitted except in the following instances:

(a) In case any authorized routes are obstructed on any block, drivers may, unless the city manager shall otherwise direct, make a detour by the nearest streets around the block on which such obstruction exists, returning to the prescribed route as soon as the obstruction shall have been passed.

(b) Where special or chartered bus service is rendered with the approval of the city manager.

(c) Where buses are operated over other streets in order to get from the garage to the regular routes by the most convenient streets. (Code 1959, § 7-7)

**Sec. 12-25. Temporary modification of routes by city manager.**

The city manager shall be and he is hereby empowered in all cases of fire, accident, parades, obstructions, breaks in or repairs to streets, or any other emergency which requires such action, temporarily to modify the routes prescribed in this article, or to require the use of such other streets as in his opinion the public convenience and safety may require, until the emergency calling for such action shall have been terminated. (Code 1959, § 7-10 (a))

**Sec. 12-26. Permit for experimental routes.**

The city manager is hereby vested with the authority to issue at the request of any person operating under the provisions of this article a temporary permit to operate on any additional route for a length of time not exceeding sixty (60) days, which permit may be renewed by the city manager from time to time for

additional sixty (60) day periods, for the purpose of gathering data by actual operation with respect to whether public convenience requires such route and whether such route may be profitably operated. (Code 1959, § 7-10 (b))

**Sec. 12- 27. When op era tions over author ized routes may be sus pended.**

Any person operating under the provisions of this article shall operate his vehicles regularly over the authorized routes, unless prevented from so doing by the act of God or other causes not reasonably preventable. But should it be necessary in the prosecution of any public work to stop temporarily the operation of such vehicles, it may be done on the order of the city manager, and in such case, the city shall not be liable and such person shall be held free from all claims of the city for damages or penalties by reason of the delay or suspension of such business or traffic. (Code 1959, § 7-8)

**Sec. 12- 28. Sched ules.**

Any person operating under the provisions of this article shall operate and maintain regular schedules so as to render reasonable service on each route served by him; provided, that the council may from time to time require service of such person on such schedules as public needs may demand. (Code 1959, § 7-9)

**Sec. 12- 29. Fares.**

Fares to be charged by any person operating buses under the provisions of this article shall be as follows:

|   |       |
|---|-------|
| Cash fares. . . . .                                     | 1.25  |
| 22-ride ticket. . . . .                                 | 22.00 |
| School fare during regular and summer session . . . . . | 1.00  |
| Elderly & handicapped (with GLTC ID card) . . . . .     | 0.60  |
| EZ pass (w/ID card) . . . . .                           | 6.00  |
| Monthly passes. . . . .                                 | 30.00 |
| Transfers. . . . .                                      | 0.10  |

Existing rules and regulations governing the issuance and use of passes shall continue applicable. (Ord. No. O-91-093, 5-14-91, eff. 7-1-91; Ord. No. O-91-132, 6-11-91, eff. 7-1-91; Ord. No. O-94-281, 10-25-94; Ord. No. O-95-124, 5-23-95, eff. 7-2-95; Ord. No. O-96-115, 5-14-96, eff. 7-1-96; Ord. No. O-02-047, 3-12-02, eff. 4-1-02)

**Sec. 12- 30. Ac count ing pro ce dures and re ports.**

(a) A standard form of accounts and system of bookkeeping, in accordance with general accepted bookkeeping practice, shall be kept and observed by the company or individual operating under the provisions of this article insofar as the system of accounts and bookkeeping applies to such motorbus transportation. The director of fiscal management, or some accountant duly authorized by the council, shall have the right and privilege at any time to examine the books of the persons in order to verify, or, if need be, to correct the same or any returns and reports made by the company or individual therefrom.

(b) Complete monthly reports in form approved by the director of fiscal management shall be made to the city manager by any person operating under the provisions of this article. Such report for each calendar month shall be delivered to the city manager not later than the twenty-fifth day of the succeeding month. (Code 1959, § 7-13)

**Sec. 12-31. Additional regulations.**

The city expressly reserves the right to pass at any time, in addition to the provisions of this article, any amendments thereto and any and all ordinances deemed necessary by it in the reasonable exercise of its police power, for the safety, welfare and convenience of the public, and for the regulation and control of motorbus transportation within the city, and to prescribe the size, character and type of the motor vehicle to be used under the provisions of this article. (Code 1959, § 7-14)

**Sec. 12-32. Certain rights not gained under article.**

No person operating under this article shall acquire any vested right thereunder in the streets of the city or any vested right to use the same. (Code 1959, § 7-15)

**Sec. 12-33. Standard of service generally.**

Any person operating buses under the provisions of this article shall, at all times, maintain an adequate and efficient public service at the rates specified in this article or at rates which may hereafter be prescribed. Such person shall maintain and operate his transportation system in accordance with the most approved methods and by the use of the most approved means of surface transportation, without and otherwise than by the construction or use of railway tracks or the erection of poles and wires. Such person shall maintain all of the physical property used and operated by him at the highest practical standard of efficiency. (Code 1959, § 7-17)

**Sec. 12-34. Condition of vehicles generally.**

All vehicles and the equipment used in connection therewith operated under this article shall at all times be kept in proper physical condition to the satisfaction of the city manager, or his duly authorized representative, so as to render safe, adequate and proper public service and so as not to be a menace to the safety of the occupants or of the general public. (Code 1959, § 7-18)

**Sec. 12-35. Ventilation, heating, etc., of buses.**

Any person operating buses under the provisions of this article shall at all times keep all buses or vehicles operated by him clean, sufficiently ventilated and adequately heated with safe and convenient appliances whenever the weather is such that heating is essential to the comfort of passengers. (Code 1959, § 7-19)

**Sec. 12-36. Stops for taking on or letting off passengers.**

All vehicles operated under this article shall stop for the purpose of taking on or letting off passengers at such points or places as may be designated by the city manager or his duly authorized representatives. All such stops shall be clearly marked by suitable signs to be placed and maintained at the cost and expense of the person operating under this article. (Code 1959, § 7-21)

**Sec. 12-37. Compliance with traffic laws, etc.**

All vehicles operated under this article shall be made to observe and comply with all orders given by word or sign by the police officers of the city and with all signs and directions placed in the streets for the regulation of traffic, and shall conform to all traffic laws of the city and state. (Code 1959, § 7-22)

**Cross reference**—Traffic regulations, Ch. 25.

**Sec. 12-38. Money and other articles left in vehicles.**

The person in charge of any vehicle operated under this article shall carefully preserve any money or other property left in such vehicle by any passenger, and the same shall be promptly deposited with the person owning or operating such vehicle to be kept by him at some convenient point within the city, where the same may be called for by the owner. When such money or property shall have been identified and

ownership established, the same shall be promptly delivered to such owner. Any property, whether money or other thing, which shall not be called for within ten (10) days, shall be disposed of according to law. (Code 1959, § 7-23; Ord. No. O-02-047, 3-12-02, eff. 4-1-02)

**Sec. 12- 39. Light ing of ve hi cle in te rior.**

No motor vehicle operating under this article shall be operated between one-half hour after sunset and one-half hour before sunrise, except in case of emergency, unless sufficient light be provided adequately to light the whole interior of such vehicle. (Code 1959, § 7-24)

**Sec. 12- 40. Smok ing.**

It shall be unlawful for any person operating any vehicle under this article or for any passenger to smoke or have in his possession a lighted cigar, cigarette or pipe while such vehicle is being operated under this article, and it shall be unlawful for such operator to permit any passenger so to do. (Code 1959, § 7-25)

**Sec. 12- 41. Po lice pow ers of bus driv ers.**

All drivers of buses operating under this article, for the purpose of enforcing order, peace and good behavior upon their respective buses, are hereby constituted special policemen, and for that purpose, are endowed with all the powers and are held to the same responsibilities as the other policemen of the city. (Code 1959, § 7-29)

**Secs. 12- 42—12- 50. Re served.**

DIVISION 2. CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

**Sec. 12- 51. Re quired.**

Before any person shall operate any motorbus or buses on routes within this city under the provisions of this article, he shall first obtain from the city manager a certificate of public convenience and necessity. (Code 1959, § 7-2 (a))

**Sec. 12- 52. Ap pli ca tion, agree ment.**

Any person desiring a certificate of public convenience and necessity required by the provisions of this division shall file with the city manager an application therefor, together with a written agreement, in form approved by the city attorney, that he will conform to, and comply with, all the provisions of this article and no certificate shall be granted to any person to operate hereunder, unless such applicant shall undertake to operate on all of the routes, operations on any one of such routes to begin at such time as may be agreed upon between the city and the applicant. (Code 1959, § 7-2 (a))

**Sec. 12- 53. Hear ing.**

Upon the filing of an application for a certificate required by the provisions of this division, the city council shall, within a reasonable time, fix a time and place of hearing on such application. Notice of the time and place of hearing on such application shall be given to the public by publication in a newspaper published in the city once a week for two (2) successive weeks, the last publication to appear at least three (3) days before the day of such hearing. Notice shall also be given to any and all existing certificate holders, which notice may be served on, or acknowledged by, any resident official or attorney of any such certificate holders. The notice required in this section shall not be necessary in granting a certificate to a person operating a street railway under an unexpired franchise with the city and who agrees to the cancellation of such franchise and the operation of motorbuses under the terms of this article. (Code 1959, § 7-2 (b))

**Sec. 12-54. Issuance; bond.**

Upon receipt of the application for a certificate required by this division and agreement mentioned in section 12-52, after hearing, and upon a showing that the public convenience and necessity require and justify the operation applied for, the city manager may, with the approval of the city council, issue a certificate, in form approved by the city attorney, authorizing the applicant to operate buses as herein provided for, upon the filing with the city manager of a bond, with surety approved by the city attorney, in the sum of five thousand dollars (\$5,000.00) conditioned that the applicant will conform to and comply with each and every one of the conditions and provisions of this article, and will indemnify and save harmless the city or any person from any and all claims, demands or judgments on account of injuries or damages occasioned by the negligence of such applicant. Upon the filing and approval of such bond, the same shall at all times be kept in force and effect for the full amount of five thousand dollars (\$5,000.00). In the event that suit shall be brought against the city, either independently or jointly with the operator hereunder, such operator, upon notice to such operator by the city, will defend the city in such suit at the cost of such operator, and in event of a final judgment being obtained against the city, either independently or jointly with such operator, then such operator shall pay such judgment with all costs and hold the city harmless therefrom. The company shall also carry adequate public liability insurance. (Code 1959, § 7-2 (c))

**Sec. 12- 55. Du ra tion.**

Certificates issued under the provisions of this article shall be effective from the date specified therein and shall remain in effect until terminated. (Code 1959, § 7-2 (d))

**Sec. 12- 56. Ter mi na tion.**

The city council at any time by its order entered after hearing had upon thirty (30) days' notice to the holder of any certificate and an opportunity to such holder to be heard, at which it shall be proved to the satisfaction of the council that such holder has willfully made any misrepresentation of material facts in obtaining such certificate or has repeatedly violated or refused to observe the provisions of this article or any terms of the certificate granted under this division or any of the council's proper orders, rules or regulations imposed under authority of this article, may suspend, revoke, alter or amend any such certificate for any violation above set forth. (Code 1959, § 7-2 (d))

**Sec. 12- 57. No tice, hear ing before changes.**

(a) Whenever the city council, on complaint of any person or on its own motion, proposes to consider the question of changing any route, schedule, fare or service of a certificate holder, at least thirty (30) days' notice of the time and place when such change of regulation will be considered shall be given to such certificate holder and an opportunity to be heard at such hearing shall be granted such certificate holder. The notice of hearing, which shall set forth the changes to be considered at such hearing, may be served on, or acknowledged by, any resident official or attorney of the certificate holder.

(b) Whenever any certificate holder wishes to appear before the council to obtain permission to make any change in his routes, fares or service, he shall so notify the city manager of the changes he seeks at least ten (10) days prior to the time when application will be made to the city council for such changes. A like notice shall also be served upon any and all other certificate holders operating under the terms of this article.

(c) The notice required in subsections (a) and (b) may be waived by mutual consent of the council and certificate holders. (Code 1959, § 7-16 (b—d))

**Sec. 12- 58. In dem nity for city.**

Any person operating under the provisions of this article shall, by acceptance in writing of the terms and conditions of this article, agree and bind himself to keep and hold the city free and harmless from liability for any and all damages that may accrue to himself or to any person on account of injury or damage to person or property directly or indirectly growing out of the construction of the operator's works or out of

the operation of his vehicles under this article, wherever the city may be also liable therefor; and, in case suit shall be brought against the city, either independently or jointly with such person on account thereof, such person, upon notice to him by the city, shall defend the city in such suit, and in the event of a judgment being obtained against the city, either independently or jointly with such person on account of the acts or omissions of such persons, such person shall pay the judgment, with all costs, and hold the city harmless therefrom. (Code 1959, § 7-20)

**Secs. 12-59—12-70. Reserved.**

**ARTICLE III. INTERURBAN BUSES AND MOTOR FREIGHT CARRIERS**

**DIVISION 1. GENERALLY**

**Sec. 12-71. Definitions.**

The following phrases, whenever used in this article, shall have the meanings respectively ascribed to them in this section, except in those instances where the context clearly indicates a different meaning:

Interurban motorbus carrier. A motor vehicle carrier operating as a common carrier or restricted common carrier by motor vehicle of passengers.

Motor freight carrier. A motor vehicle carrier operating as a common carrier or restricted common carrier by motor vehicle of property.

Motor vehicle carrier. Every person owning, controlling, operating or managing any common carrier by motor vehicle or restricted common carrier by motor vehicle and operating as such common carrier or restricted common carrier by virtue of authority from the Interstate Commerce Commission or the state corporation commission, or both, and using the streets of the city in the business of transporting persons or property for compensation by motor vehicle. (Code 1959, § 7-31)

**Sec. 12-72. Exceptions.**

The provisions of this article shall not apply to any intraurban motorbus carrier operating under a certificate from the city council under the provisions of section 12-51, and which, in addition, may operate under authority from the state corporation commission over routes from the city to points outside the city within a radius of ten (10) miles, nor shall the provisions hereof apply to taxicabs operating under chapter 37. (Code 1959, § 7-39)

**Sec. 12-73. Penalty for violation.**

Any motor vehicle carrier or the driver of any such vehicle used in the business violating any of the provisions of this article shall be deemed guilty of a class 4 misdemeanor. Each day's violation by a motor vehicle carrier of any of the provisions of this article shall constitute a separate offense. (Code 1959, § 7-40)

**Sec. 12-74. Prerequisite generally to operation.**

No motor vehicle carrier shall operate any vehicle in or over the streets or bridges of the city without first obtaining permission from the city council and its approval of the routes, the number of vehicles to be operated and the tonnage and capacity of each, and until all taxes, fees or charges assessed against such carrier under the provisions of chapter 36 of this Code have been paid, and until registration has been issued to such carrier by the chief of police. (Code 1959, § 7-32)

**Sec. 12-75. Vehicles used for intracity business.**

A permit to operate a motor freight carrier granted under the provisions of this article shall not include the privilege of operating any vehicle for the purpose of transporting property from one point in the city to another point in the city. For any vehicle so used, a "truck for hire" license, required under section 36-131, shall be obtained. (Code 1959, § 7-37)

**Sec. 12-76. Temporary emergency change in routes.**

The chief of police shall have the authority in cases of emergency to grant to any motor vehicle carrier a temporary permit to vary from its regular route through the city. (Code 1959, § 7-34)

**Sec. 12-77. Parking, stopping restricted.**

No person driving an interurban bus shall park such bus in the streets of the city for the purpose of receiving or discharging passengers, or while waiting to begin a trip out of the city, except that the provisions of this section shall not prevent any such bus from stopping momentarily at a street corner for the purpose of receiving or discharging passengers along the regular route of such bus while the bus is en route between the bus terminal and the city limits, either incoming or outgoing, but in no case shall the same passenger be received and discharged within the corporate limits. (Code 1959, § 7-36)

**Sec. 12-78. Terminals required.**

No motor freight carrier shall use the streets of the city for the purpose of storing or parking vehicles used as common carriers or restricted common carriers, but such vehicles shall be stored and parked in terminals located on private property and not within the street lines of any street of the city. (Code 1959, § 7-38)

**Secs. 12- 79—12- 85. Reserved.**

## DIVISION 2. OFF-STREET BUS FACILITIES

**Sec. 12-86. Required.**

Except for momentary stops permitted in section 12-77, it shall be unlawful for any interurban motorbus carrier to receive or discharge any passenger or baggage within the right-of-way lines of a city street or upon other public property. It shall be the duty of any interurban motorbus carrier receiving or discharging passengers or baggage within the city to provide an off-street facility on private property for the purpose, which off-street facility shall be subject to the approval of the city council. No interurban motorbus carrier shall use any such off-street facility until such approval has been granted, nor shall any person begin the construction, alteration or remodeling of such facility for the use of an interurban motorbus carrier until application has been made by such carrier to the council and the approval of council obtained, in addition to any other permits or certificates required under applicable sections of this code. (Code 1959, § 7-35 (a))

**Sec. 12-87. Application.**

An application for approval of any proposed off-street facility required by this division shall be filed with the city manager and such application shall be verified under oath and shall furnish the following information:

- (a) The name and address of the applicant;
- (b) Plans drawn to scale showing in detail the proposed location, size and shape of the proposed off-street facility, on which shall also be shown the street or streets on which such facility abuts; (c) The maximum number of buses or other vehicles to be accommodated within such off-street facility at any one time;
- (d) The maximum size and weight of buses or other vehicles to be accommodated therein;

- (e) Any facts which the applicant believes tend to prove that the proposed off-street facility contains sufficient space and is so designed that, at periods when the maximum number of buses and other vehicles is to be accommodated therein, buses may enter and leave such facility without backing into or out of such facility from or into a city street, without using improper traffic lanes when entering or leaving the facility or without violating any provision of the state or city traffic laws or any city ordinance pertaining to the use of city streets;
- (f) Proposed means of ingress and egress from and to a city street or streets;
- (g) Proposed sidewalk or walkway crossing in connection with such ingress and egress, together with any facts which the applicant believes tend to prove that the proposed means of ingress and egress and the proposed location and design of any sidewalk crossing or pedestrian walkway crossing is not such as to create a hazard to the public using any street of the city;
- (h) Plans for surfacing the off-street facility and for providing of necessary catch basins and other means for adequate drainage of the facility to the public sewer; and
- (i) Such other pertinent information as the council may require. (Code 1959, § 7-35(b))

**Sec. 12-88. Hearing.**

Upon the filing of an application for off-street facilities required by this division, it shall be the duty of the city manager to bring the same to the attention of the council at its next regular meeting, whereupon the council shall fix a time and place for public hearing thereon. At least ten (10) days' notice of such hearing shall be given to the applicant by serving notice upon applicant or by sending same to him by registered mail, and at least ten (10) days' notice of such hearing shall be given the general public by publication in a newspaper of the city. At such hearing the applicant or any other person shall be heard in support of or in opposition to the approval of the application. (Code 1959, § 7-35 (c))

**Sec. 12-89. Issuance of permit.**

If, after the hearing as required by this division, the council finds:

- (a) That the proposed off-street facility is of a size, shape and design that, at periods when the maximum number of buses and other vehicles is to be accommodated therein, buses may enter and leave such facility without backing into or out of such facility from or into a city street, without using improper traffic lanes when entering or leaving such facility and without violating any other provision of the state or city traffic laws or any city ordinance pertaining to the use of city streets;
- (b) That the proposed means of ingress and egress to and from city streets and the proposed sidewalk or walkway crossings are not such as to create a hazard to the public using any street of the city;
- (c) That the proposed plans for surfacing and draining the facility are adequate; and,
- (d) That the applicant is able and willing to provide the facility in accordance with the application and to conform to all the provisions of this section;

the council shall cause to be issued a permit for the use of the facility by the applicant; otherwise the permit shall be denied. (Code 1959, § 7-35 (d))

**Sec. 12-90. Construction, use, maintenance.**

Whenever a permit is issued under this article, the applicant shall provide the facility strictly in accordance with his approved application and permit granted thereon, and shall thereafter operate, use and maintain the facility in accordance with such approved application and permit. It shall be unlawful for any applicant, after his application has been approved and permit issued, to reduce the size, shape or design of the facility, or to permit therein at one time a greater number of buses or other vehicles than the maximum

number set out in the application, or to erect or install therein any building or structure or equipment of any kind that would result in the reduction of the space or change in design of such facility, or make any change in the means of ingress and egress and sidewalk crossings from that shown in the application, or in any way use, operate or maintain the facility in a manner other than that set forth in the approved application and permit granted thereon. (Code 1959, § 7-35 (e))

**Sec. 12-91. Cancellation of permit.**

Any permit granted under the provisions of this division shall be considered canceled if the off-street facility is not commenced within six (6) months from the date of its issuance and continued with diligence to the date of its completion. (Code 1959, § 7-35 (f))

**Sec. 12-92. Violations; suspension, revocation of permit.**

It shall be unlawful for any person to make any false representation upon any application filed under the provisions of this division, and it shall further be unlawful for any person to violate any of the provisions of this division. Any person who shall make any false representation upon any application filed hereunder or who shall violate any of the provisions of this section shall be guilty of a class 2 misdemeanor. In addition, after due hearing and upon not less than ten (10) days' notice in writing to any applicant convicted of violation of any of the provisions of this division, such notice to be sent by registered mail or by personal service upon such applicant, the council may suspend or revoke the permit granted to such applicant. (Code 1959, § 7-35(g))